



**Division of Workforce
Development and Adult Learning
(DWDAL)**
Policy Issuance



PI 2026-15 Trade Adjustment Assistance | October 28, 2026

TO Division of Workforce Development and Adult Learning (DWDAL) staff and Division of Unemployment Insurance (MDUI) Reemployment and Trade Unit (RTU)

FROM DWDAL, Maryland Department of Labor (MD Labor)

SUBJECT Trade Adjustment Assistance Program (TAA)

PURPOSE To provide comprehensive policy guidance on the implementation of TAA in Maryland

ACTION DWDAL Dislocation Services Unit, Local Workforce Development Area (Local Area) Directors, American Job Center (AJC) Reemployment Program Directors, MDUI RTU staff, and central office managers will ensure all employees are aware of and receive copies of this policy. DWDAL policies are available on the [MD Labor website](#).

EXPIRATION Until Cancelled.

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CANCELLATIONS

The following are hereby cancelled and replaced by this policy issuance:

- DWDAL Policy Issuance 2022-02, "Trade Adjustment Assistance," dated April 6, 2022.

Archived policy issuances are available at: <http://www.labor.maryland.gov/employment/wifi/>.

EXECUTIVE SUMMARY

The Trade Adjustment Assistance (TAA) Program protects and supports U.S. workers adversely impacted by foreign trade. This federal program was established under the Trade Act of 1974 to assist adversely affected workers (AAWs) and adversely affected incumbent workers (AAIW) who lose their jobs or whose hours of work and wages are reduced as a result of increased imports or production transfers abroad. The primary goal of the TAA program is to help AAWs/AAIW gain the skills, credentials, resources, and support they need to return to “suitable employment” as quickly as possible.

TAA participants must be co-enrolled in the Workforce Innovation and Opportunity Act (WIOA) Title III Wagner-Peyser Program, WIOA Title I Dislocated Worker, and Rapid Response programs. TAA Case Managers are also encouraged to co-enroll TAA participants in other partner programs when doing so is appropriate and beneficial for the participant.

The scope of this policy issuance is specific to:

1. The roles and responsibilities to provide an overview of the TAA program and requirements;
2. The roles and responsibilities of partners that administer the TAA program; and,
3. How the program intersects with other programs in the Maryland workforce system.

MD Labor’s Division of Workforce Development and Adult Learning (DWDAL) maintains the processes and procedures for TAA, which is available by contacting the DWDAL Dislocated Services Unit at dlwdalWARN-labor@maryland.gov.

GENERAL INFORMATION

WORKFORCE INNOVATION AND OPPORTUNITY ACT

WIOA was signed into law on July 22, 2014, and went into effect July 1, 2015. WIOA supersedes the Workforce Investment Act of 1998 and amends the Adult Education and Family Literacy Act, the Wagner-Peyser Act, and the Rehabilitation Act of 1973. To help both businesses and job seekers meet their needs, the workforce system established under WIOA is integrated by design. WIOA envisions connecting businesses with job seekers through meaningful partnerships among workforce, education, human services, and economic development entities to ensure optimum results and leveraging of resources. The law addresses the needs of job seekers by establishing a workforce system that helps them access employment, education, training, and support services to succeed in the labor market. Through the American Job Centers (AJCs), WIOA works to address employer needs by matching them to the skilled workers they need to compete in the global economy. WIOA outlines a collaborative vision for the Trade Adjustment Assistance (TAA) Program; whereas, participants are required to be co-enrolled into the WIOA Title I Dislocated Worker program. The Maryland Department of Labor (MD Labor)'s state staff serve TAA participants in conjunction with Local Workforce Development Areas (Local Areas).

The TAA program is funded by annual federal mandatory appropriations, allocated to states by USDOL. The TAA program is 100 percent federally funded, and the annual allocation is effective October 1st of each year. The period of performance for each annual allocation is three years.

OVERVIEW OF THE TRADE ADJUSTMENT ASSISTANCE PROGRAM

TAA Program Purpose

The Trade Adjustment Assistance (TAA) Program protects and supports U.S. workers adversely impacted by foreign trade. This federal program was established under the Trade Act of 1974¹ to assist adversely affected workers (AAWs) and adversely affected incumbent workers (AAIW)s² who lose their jobs or whose hours of work and wages are reduced as a result of increased imports or production transfers abroad. A mandatory partner program under WIOA, the primary goal of the TAA program is to help AAWs/AAIW)s gain the skills, credentials, resources, and support they need to return to “suitable employment” as quickly as possible. Within the TAA program, the term “suitable employment” is defined as work that is of equal or greater skill level to that of the Trade-impacted job and at least 80 percent of the AAW/AAIW’s former pay. “Suitable employment” may include self-employment.³ Benefits and services available to AAWs/AAIW)s through the TAA program include funding support for case management, training, monetary compensation if unemployment insurance (UI) benefits are exhausted, funding for work search activities and relocation costs, salary compensation for older workers, and assistance in covering healthcare costs.

TAA Program Authorizations and Procedures

The type and amount of benefits an AAW/AAIW may be eligible to receive, and the industry sectors covered, differ based on which reauthorization of the Trade Act of 1974 is in place when the impacted worker is separated from employment. Reauthorization of Trade law has unique petition filing dates and petition numbers. In September 2020, the U.S. Department of Labor (USDOL) published the Trade Adjustment Assistance for Workers Final Rule.⁴ MD Labor updated this policy issuance to align with the Final Rule, including requiring that Local Areas co-enroll Trade participants into the WIOA Title I Dislocated Worker program.⁵ Additionally, this policy is compliant with TEGL 7-23, “[Ongoing Operations of the Trade Adjustment Assistance \(TAA\) for Workers Program During Phase-Out Termination.](#)”

MD Labor’s Division of Workforce Development and Adult Learning (DWDAL) maintains the processes and procedures for TAA, which is available by contacting the DWDAL Dislocated Services Unit at dlwdalWARN-labor@maryland.gov. Reach out to the Dislocated Services Unit for detailed guidance on the current authorization, petition process, and program services and requirements.

TAA Liable and Agent States⁶

The location where a Trade-related dislocation event occurs plays a role in the TAA program benefits and delivery. If a TAA participant continues to live in the state where they were employed when their job was impacted by a Trade event, then they would receive program benefits from a single state.

Sometimes, though, an AAW either commuted to the Trade-impacted job from a different state of residence or moved to a different state after the Trade event occurred. In such scenarios, the two states, referred to as the “Liable” state and the “Agent” state, must share responsibility for providing TAA participants with benefits. Liable state means, with respect to a Trade-affected worker making claims for TAA Program benefits, the state whose state unemployment insurance law is the applicable state law. A

¹ Public Law 93-618, [Trade Act of 1974](#), dated January 2, 1975.

² Also called “Trade-affected workers.”

³ [29 CFR 618.610\(c\)\(5\)](#)

⁴ [20 CFR Part 618](#)

⁵ [20 CFR 618.325](#)

⁶ [20 CFR 618.824](#)

state can be both an Agent state and a Liable state. When workers live in a state other than the state where the Trade impact occurred or move and seek TAA benefits in a new state of residence, the new state is referred to as the Agent state. The chart below lists the responsibilities of the Liable and the Agent state:

Liable State Responsibilities	Agent State Responsibilities
<ul style="list-style-type: none"> A. Making all determinations, redeterminations, and decisions on appeals on all claims for program benefits under this part, including job search and relocation allowances; RTAA; training; subsistence and transportation payments; Basic, Additional, and Completion TRA; and waivers and revocations of waivers; B. Providing workers with general program information and assistance under 20 CFR 618.816; C. Providing Rapid Response assistance and appropriate career services, as described under section 134 of WIOA, to the group of workers in the state covered by the petition upon receiving notice of any such workers for whom a petition is filed;⁷ D. Providing information and assistance to trade-affected workers, including: reemployment services; information after issuance of a certification; and specific benefit assistance to workers; E. Providing a list of eligible TAA recipients and eligible RTAA recipients, for the Health Coverage Tax Credit (HCTC) purposes, to the Internal Revenue Service if HCTC is available; and F. Assisting in other activities and functions required by the Governor-Secretary Agreement at 20 CFR 618.804, including assisting the USDOL in the review of petitions by verifying such information and providing such other assistance as the USDOL may request. 	<ul style="list-style-type: none"> A. Providing interstate claimants with general program information and assistance and petition filing assistance; B. Cooperating fully with and assisting the Liable state in carrying out its responsibilities, activities, and functions, including the provision of rapid response and appropriate career services, as needed; C. Cooperating with the Liable state in taking applications and claims for TAA Program benefits under this part; D. Providing employment and case management services to trade-affected workers; E. Cooperating with the Liable state by providing information that the Liable state needs for it to issue determinations, redeterminations, and decisions on appeals on all claims for program benefits; F. Securing, and paying the cost of, any approved training and payment of subsistence and transportation, according to determinations issued by the Liable state; G. Paying costs for job search and relocation allowances; and H. Assisting in other activities and functions required by the Agreement under 20 CFR 618.804, including assisting in the review of petitions by verifying information and providing such other assistance as the USDOL may request.

A state is considered to be both the Liable and the Agent state when a TAA participant lives in, and seeks TAA benefits from, the same state where the Trade event occurred.

MARYLAND’S APPROACH TO THE TAA PROGRAM

Maryland’s TAA program is jointly administered by MD Labor’s DWDAL and Maryland Division of Unemployment Insurance (MDUI).

⁷ This includes making career services authorized under other Federal laws available to the workers covered by the petition to the extent authorized under such laws. In certain situations, based on the residency of the group of workers, it may be appropriate for Agent states to also be involved in the provision of these services, but in all instances the Liable state must be ultimately responsible for ensuring the provision of these services.

The two divisions must work together closely to integrate and coordinate related TAA program components:

1. The MDUI Reemployment and Trade Unit (RTU) focuses on coordinating the distribution of Trade and UI compensation through the Trade Readjustment Assistance (TRA), Reemployment Trade Adjustment Assistance (RTAA), and Alternative Trade Adjustment Assistance (ATAA) programs;
2. The DWDAL Dislocation Services Unit (DSU) processes all training contracts and related invoices and provides technical assistance to the American Job Center (AJC) staff responsible for serving TAA participants; and,
3. Applicable state staff working in AJCs are responsible for providing TAA participants with case management services.

In Maryland, state staff administer the TAA program. The TAA program is the primary funding source for services to AAWs covered by certified petitions. However, in most cases, workers become connected to other AJC network partner programs prior to certification. In such cases, TAA participants may have an existing service plan that incorporates the resources of other partner programs that have different staffing requirements.

Services that workers receive from partner programs must not be duplicated using TAA funds. For example, when an AAW is co-enrolled in the WIOA Title I Dislocated Worker program, and the service plan for that worker includes a WIOA-funded assessment, that assessment may be provided by a local WIOA staff member. It must not be duplicated by state staff to meet the TAA program state staffing requirement.

The scope of this policy issuance is specific to:

1. Providing an overview of the TAA program and requirements;
2. The roles and responsibilities of partners that administer the TAA program; and,
3. How the program intersects with other programs in the Maryland workforce system.

TAA PROGRAM ROLES AND RESPONSIBILITIES

The table below identifies and describes the roles within MD Labor that contribute to the implementation of the TAA:

Office	Title	Role
DWDAL Office of Workforce Development	Director	<ol style="list-style-type: none"> 1. Supervises the activities of the DSU Program Manager and makes final decisions on appeals of denied training applications; and 2. Makes fiscal and program decisions.
DWDAL Office of Workforce Development	Regional Business Services Staff	<ol style="list-style-type: none"> 1. Promotes TAA services to businesses; 2. Identifies potential Trade impacts; 3. Researches information on a potential Trade impact from business discussions; 4. Notifies the DSU Program Manager of information related to potential Trade-impacted layoffs; 5. Coordinates with local TAA case managers to obtain information about the skills and resumes of training completers; 6. Conducts outreach to businesses to understand their skills needs, and connect them with qualified TAA participants exiting training; 7. Ensures local TAA staff are equipped with current information on in-demand occupations that may be of interest to impacted workers for training; and 8. Connects training completers to in-demand openings in the region.
DWDAL Office of Workforce Development	DSU Program Manager	<ol style="list-style-type: none"> 1. Maintains regular communication with the MDUI RTU regarding the development of Trade-related dislocation events; 2. Investigates dislocation events and files TAA application requests to USDOL for investigation; 3. Ensures Rapid Response⁸ teams are activated when dislocation events occur; 4. Notify TAA participants of certification and related benefits; 5. Coordinates/delivers training for local TAA Case Managers; 6. Oversees statewide data integrity; 7. Prepares and submits performance data and reports required by USDOL; 8. Reviews Trade training appeals; 9. Works with Business Services staff to coordinate services; 10. Performs activities required as the Agent state and Liable state; 11. Conducts informal monitoring of TAA Case Managers; and,

⁸ Additional information on Rapid Response services is included on page 16 of this policy issuance.

Office	Title	Role
		12. Schedules and delivers Trade information sessions to Trade-impacted workers.
DWDAL Office of Workforce Development	DSU Program Coordinator	<ol style="list-style-type: none"> 1. Notify TAA participants of certification and related benefits; 2. Coordinates/delivers training for local TAA Case Managers and AJC staff as needed (Labor Exchange Administrators, workforce system partners); 3. Assists the DSU Program Manager with informal monitoring of TAA Case Managers; 4. Oversees processing of training contracts and invoices; 5. Oversees statewide data integrity; 6. Assists the Program Manager with administration of the TAA Program; 7. Maintains regular communication with the MDUI RTU regarding the development of Trade-related dislocation events; and, 8. Schedules and delivers Trade information sessions to Trade-impacted workers.
DWDAL Office of Workforce Development	DSU Staff	<ol style="list-style-type: none"> 1. Assists in notifying TAA participants of certification and related benefits; 2. Approve all TAA training contracts, training applications, and additional item requests (such as books, test fees, certifications, and training provider invoices); 3. Work with training providers on invoicing and billing; 4. Provide Rapid Response materials; and 5. Provide technical assistance to TAA Case Managers.
DWDAL Office of Workforce Development	Labor Exchange Administrators	<ol style="list-style-type: none"> 1. Supervise TAA Case Managers working in local AJCs; 2. Conduct RTAA meetings, facilitate the completion of applications, and submit to the MDUI RTU; 3. Assist in reviewing appeals when training waivers are denied; and 4. Ensure AJCs are providing seamless services to TAA participants and coordinating efforts with partner programs.
DWDAL Office of Workforce Development	TAA Case Managers	<p>Work directly with TAA participants to:</p> <ol style="list-style-type: none"> 1. Provide employment and training counseling; 2. Assist participants in applying for TAA; 3. Serve as a liaison with the MDUI RTU and the DWDAL DSU; 4. Ensure TAA participants receive a Rapid Response service; 5. Co-enrolls participants to ensure wrap-around services; 6. Submit requests for approval for TAA-funded training to the DSU;

Office	Title	Role
		<ol style="list-style-type: none"> Record training benchmarks every 60 calendar days for participants in training programs six months or longer; and Document any degrees, certifications, or credentials earned during TAA funded training.
DWDAL Office of Monitoring and Compliance	Monitoring and Compliance Unit Staff	<ol style="list-style-type: none"> Conducts quarterly monitoring of the local implementation of DWDAL TAA program activities.
MDUI Reemployment and Trade Unit	Reemployment and Trade Unit Manager	<ol style="list-style-type: none"> Supervises the activities of the RTU UI Professionals; Maintains regular communication with the DWDAL DSU regarding the development of Trade-related dislocation events; Establishes Trade claims for Trade-impacted individuals who file for UI and wish to pursue TAA benefits; Places ads in the local paper for new trade certifications; Reaches out to Trade-impacted employers to obtain the list of impacted workers; Ensures that the notification letter is sent out to potentially impacted workers; Manages the distribution of TRA and A/RTAA payments to eligible participants; Tracks/records A/RTAA benefits; and Communicates with TAA Case Managers regarding participant training status and/or A/RTAA status.
MDUI Reemployment and Trade Unit	UI Professional	<ol style="list-style-type: none"> Maintains regular communication with the DWDAL DSU regarding the development of Trade-related dislocation events; Identifies and contacts AAWs covered under certified petitions to notify them of their status as covered workers and explain program requirements and benefits; Establishes Trade claims for Trade-impacted individuals who file for UI and wish to pursue TAA benefits; Places ads in the local paper for new trade certifications; Reaches out to Trade-impacted employers to obtain the list of impacted workers; Ensures that the notification letter is sent out to potentially impacted workers; Manages the distribution of TRA and A/RTAA payments to eligible participants; Tracks/records A/RTAA benefits; and Communicates with TAA Case Managers regarding participant training status and/or A/RTAA status.
WIOA Title I Local Areas	N/A	<ol style="list-style-type: none"> Administer assessments when applicable per Local Area's testing procedure;

Office	Title	Role
		<ol style="list-style-type: none"> 2. Implement local Rapid Response activities in coordination with the Local Area's core Rapid response Team;⁹ 3. Co-enrolls participants to ensure wrap-around services; 4. Assist with supportive services, as is applicable in the Local Area; and 5. Evaluate additional services that Trade participants may be eligible for, in accordance with Local Plans and policies.

⁹ More information on Rapid Response activities and the Rapid Response Core Teams can be found in DWDAL's "Rapid Response" policy. DWDAL's current and archived policies are available at the following link: <http://www.labor.maryland.gov/employment/mpi/>.

TAA PETITION PROCESS OVERVIEW

FILING A TRADE PETITION¹⁰

Contact the DWDAL Dislocated Services Unit at dlwdalWARN-labor@maryland.gov for guidance on filing a Trade petition specific to the current program authorization.

Generally, USDOL certifies Trade petitions for TAA to benefit impacted workers if an affected employer falls into at least one of the following categories:

1. The company has shifted production or services to a foreign country;
2. Foreign imports or the supply of services has caused a decline in sales or production;
3. The company is a downstream producer or service supplier of a Trade-certified company; and,
4. The International Trade Commission (ITC) identified the impacted company in the *Federal Register* as having an “injury” or a “market disturbance.”

To obtain TAA reemployment services and benefits, an interested party must file a petition with the USDOL’s Office of Trade Adjustment Assistance (OTAA). A petition may be filed by any of the following:

1. A group of two or more workers From the same firm, on whose behalf the petition is filed;¹¹
2. An employer of a group of workers;
3. A union;
4. A state workforce official;
5. AJC staff or partner program staff; and,
6. A certified or recognized union, or other duly authorized representative of the group of workers.

Workers employed by a successor-in-interest¹² are members of the worker group even if they are not specifically listed. There is no need to file an amendment to add leased workers or remote workers to the petition.

Staff are available to assist potential Trade participants in preparing petitions at all Maryland AJCs. The locations of AJCs across the state are available online at <http://www.labor.maryland.gov/county/> or by phone at 1-877-US2-JOBS, (TTY) 1-877-889-5627. Petitioners may also visit <http://www.servicelocator.org> or contact USDOL at 202-693-3560 or 1-888-365-6822.

The DWDAL DSU also provides support in the preparation of petitions. For more information, contact the DSU Program Manager.

¹⁰20 CFR 618.205 “[Who may file a petition.](#)”

¹¹ All workers in the worker group must sign the petition.

¹² “Successor-in-interest” means a firm, whether or not named on a certification issued under subpart B of this part, from which trade-affected workers are separated, or threatened with separation, and where most or all of the factors in paragraphs (1) through (7) of this definition are present, relative to a firm named on a determination issued under subpart B: (1) There is continuity in business operations. (2) There is continuity in location. (3) There is continuity in the workforce. (4) There is continuity in supervisory personnel. (5) The same jobs exist under similar conditions. (6) There is continuity in machinery, equipment, and process. (7) There is continuity in product/service.” 20 CFR 618.110, “[Successor-in-Interest.](#)”

DECISIONS ON TAA PETITIONS

The OTAA initiates an investigation¹³ of submitted petitions to determine whether a group of workers meets TAA eligibility. If the group meets the criteria, OTAA issues a *Certification Regarding Eligibility to Apply for Worker Adjustment Assistance*. This generally covers all workers separated (or threatened with separation) during the one-year period before the petition and up to two years after the certification date. The certification describes the worker group and specifies certification dates. Once a decision is made, OTAA notifies petitioners, the business, and the MDUI RTU. The determination is posted online and published in the *Federal Register*.

RECONSIDERATIONS OF DETERMINATIONS ON PETITIONS

If OTAA finds a petition does not meet TAA eligibility requirements, the Office issues the worker group a “*Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance*.” Workers denied certification can request administrative reconsideration of the determination by filing a written application via email: reconsiderations.taa@dol.gov; fax: (202) 693–3584 or (202) 693–3585; or mail:

U.S. Department of Labor, Employment and Training Administration,
Office of Trade Adjustment Assistance
200 Constitution Avenue NW, Washington, DC 20210.

Requests for reconsideration must:

1. Be in writing;
2. Include the TAA investigation number;
3. Include petitioner or representatives signatures;
4. Describe the group of workers included in the petition;
5. Include the reasons the applicant believes the determination is erroneous; and,
6. Include any information that may support the application for reconsideration.¹⁴

Requests must also cite reasons why the workers consider the denial erroneous according to the facts, the interpretation of the facts, or the law itself. Reconsideration requests must be filed with OTAA within 30 calendar days of Federal Register publication.

Judicial Review

A Judicial Review process¹⁵ is available to workers once a final determination is made under 20 CFR 618.245(g). Appeals for judicial review must be filed within 60 calendar days after the date of publication in the Federal Register with the Case Management Supervisor at the following address:

U.S Court of International Trade
One Federal Plaza
New York, NY 10007
(212) 264-1611.

Detailed information and resources for filing Trade petitions is available on USDOL’s Employment and Training Administration website at:

¹³ 20 CFR 218.210, “[Investigation](#).”

¹⁴ 20 CFR 618.245, “[Reconsideration of termination of an investigation, denial, or termination or partial termination of certification](#).”

¹⁵ 20 CFR 618.255, “Judicial Review of Determinations.”

[https://www.doleta.gov/Tradeact/petitioners/.](https://www.doleta.gov/Tradeact/petitioners/)

RELATED PROGRAMS FOR DISLOCATED WORKERS

As a WIOA required partner, the TAA Program is responsible for providing access to TAA benefits and services to AAWs through the AJC network. Under WIOA and the Trade Act, as amended, Maryland must integrate TAA services into the State's AJC delivery system and provide Rapid Response and appropriate career services to worker groups on whose behalf a petition has been filed. TAA Case Managers must enroll individuals in the WIOA Title III Wagner-Peyser Program before filing the Trade petition. TAA Case Managers must co-enroll TAA participants in the WIOA Title I Dislocated Worker and Rapid Response programs. TAA Case Managers are also encouraged to co-enroll TAA participants in other partner programs when doing so is appropriate and beneficial for the participant.

MANDATORY CO-ENROLLMENT

WIOA Title III Wagner-Peyser Program

The WIOA Title III Wagner-Peyser (Employment Services) program provides employment services and career counseling to jobseekers, as well as labor exchange services to jobseekers and employers. Services are available to all jobseekers, regardless of employment status. Services include:

1. Job search and placement assistance for jobseekers;
2. Recruitment services and special technical services for employers;
3. Re-employment services for unemployment insurance claimants;
4. Labor exchange services for workers who have received notice of permanent or impending layoff;
5. Referrals and financial aid application assistance for training and educational resources and programs; and,
6. The development and provision of labor market and occupational information.

MD Labor DWDAL administers the WIOA Title III program. All TAA participants must be co-enrolled in the Wagner-Peyser program. Before starting the TAA application in the MWE, the Wagner-Peyser application must be fully completed by staff, adding a staff-assisted program before proceeding to the TAA application for data entry. The Wagner-Peyser application, eligibility, and program participation dates must be either prior to or equal to the TAA application, eligibility, and TAA participation dates.

WIOA Title I Dislocated Worker Program

TAA participants must be co-enrolled in the WIOA Title I Dislocated Worker program.¹⁶ USDOL's goal is for all TAA participants to be co-enrolled in the WIOA Title I Dislocated Worker program. Individuals identified as TAA participants under Trade petition certifications are qualified as dislocated workers under the WIOA definition of the term.¹⁷ Therefore, TAA participants are eligible, by virtue of their TAA participant status, to receive benefits and services funded under the Title I Dislocated Worker program. The Dislocated Worker program offers complementary benefits not available through TAA. Co-enrollment brings valuable resources to bear that help TAA participants accelerate their reemployment process including offering supportive services and follow-up. Additionally, TAA Participant performance outcomes improve through

¹⁶ According to 20 CFR 618.325(a)(1), "A State must co-enroll trade-affected workers who are eligible for WIOA's dislocated worker program. Workers may choose to decline co-enrollment in WIOA. A State cannot deny such a worker benefits or services under the TAA Program solely for declining co-enrollment in WIOA."

¹⁷ TEGL 19-16, "Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act (WIOA) and the Wagner-Peyser Act Employment Service (ES), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules," dated March 1, 2017.

co-enrollment.¹⁸ Title I Dislocated Worker staff and state staff must establish collaborative case management and file management processes to ensure services to co-enrolled customers are optimally integrated and coordinated, duplication is avoided, and monitoring and data validation audits are successful.

Co-enrollment with the WIOA Title I Dislocated Worker program is required unless (1) the customer says they do not want to be co-enrolled or (2) the individual does not meet the eligibility requirements for WIOA Title I. TAA Case Managers must document the customer declaration to decline as well as the reason the participant does not meet eligibility in the case management system/ Maryland Workforce Exchange (MWE). WIOA Title I Dislocated Worker program co-enrollment will be monitored quarterly to ensure the state is meeting its co-enrollment target set forth by TAA Data Integrity and that all TAA participants that are not co-enrolled are for statutory and compliance reasons.

Rapid Response

Rapid Response is a proactive, business-focused, and flexible strategy designed to respond to layoffs and plant closings by quickly coordinating services and providing immediate aid to companies and their affected workers. The primary purpose of Rapid Response services is to leverage the public workforce system's resources to enable affected workers to return to work as quickly as possible following a layoff, or to prevent their layoff altogether.¹⁹ Rapid Response is a crucial early intervention service for workers whose jobs are threatened or eliminated due to Trade-related dislocation events. Clear and immediate communications between the MDUI RTU and DWDAL DSU is required to ensure prompt Rapid Response activation. The Rapid Response process can help identify Trade impacts and eligibility for a petition or be triggered by the filing of a Trade petition.

Beyond supporting businesses and workers impacted by Trade-related dislocation events, Maryland's Rapid Response teams are in a unique position to identify potential Trade-related dislocation events. The DSU Program Manager must provide Rapid Response teams with accurate information on the TAA program certification process, and must ensure that Rapid Response teams are trained in current worker group certification eligibility criteria and available TAA program benefits.

OPTIONAL CO-ENROLLMENT

DWDAL and Local Areas are encouraged to co-enroll Trade participants in additional programs, as relevant, to assist them along their career pathways. This subsection provides an example of a related program: National Dislocated Worker grants. Other programs not covered here should also be included in the Individual Employment Plans (IEPs) of TAA participants, as appropriate.

National Dislocated Worker Grants (NDWGs)

NDWGs are discretionary grants awarded by USDOL that may be used to assist AAWs. NDWGs provide resources to states and other eligible applicants to respond to large, unexpected layoff events causing significant job losses. This funding is intended to temporarily expand capacity to serve dislocated workers, including military service members, and meet the increased demand for WIOA employment and training services, with the goal of reemploying laid off workers and enhancing their employability and earnings. Disaster NDWGs provide funding to create temporary employment opportunities to assist with clean-up and recovery efforts when an area impacted by a disaster is declared eligible for public assistance by the Federal Emergency Management Agency (FEMA) or otherwise recognized by a Federal agency with

¹⁸ See USDOL's TAA and Dislocated Worker Fact Sheet on Perceived Barriers of Cost and Performance for more information.

¹⁹ Training and Employment Notice (TEN) 31-11, "[The Rapid Response Framework](#)," dated March 1, 2012.

authority or jurisdiction over Federal response to the emergency or disaster. NDWG grants cover career services, training services, supportive services, and needs-related payments.

PERFORMANCE ACCOUNTABILITY AND REPORTING

PERFORMANCE ACCOUNTABILITY

TAA program performance metrics are aligned with WIOA performance requirements, with the exception that the TAA program is not required to report the “Effectiveness in Serving Employers” metric.

TAA performance metrics include:

1. **Employment Rate, 2nd Quarter After Exit** – The percentage of participants who are in unsubsidized employment during the second quarter after exiting the program.
2. **Employment Rate, 4th Quarter After Exit** – The percentage of participants who are in unsubsidized employment during the fourth quarter after exiting the program.
3. **Median Earnings, 2nd Quarter After Exit** – The median earnings of participants who are in unsubsidized employment during the second quarter after exiting the program.
4. **Credential Attainment** – The percentage of those participants enrolled in an education or training program (excluding those in On-the-Job Training (OJT) and customized training) who attain a recognized postsecondary credential or a secondary school diploma or its recognized equivalent, during participation in or within one year after exit from the program.²⁰
5. **Measurable Skill Gains** – The percentage of program participants who, during a program year, are in an education or training program that leads to a recognized postsecondary credential or employment and who are achieving measurable skill gains, defined as documented academic, technical, occupational, or other forms of progress, toward such a credential or employment. Depending on the type of education or training program, documented progress is defined as one of the following:
 - a. Documented achievement of at least one educational functioning level;
 - b. Attainment of a secondary diploma or recognized equivalent;
 - c. Transcript or report card with sufficient credits showing progress;
 - d. Satisfactory employer/trainer progress reports (e.g., OJT, apprenticeships); and
 - e. Passage of technical or occupational exams

REPORTING

Accurate and thorough reporting on the TAA program is essential to the program’s effective implementation. Reporting provides the data stakeholders need to understand how the TAA program is implemented in Maryland. Reporting supports the monitoring and compliance function, and promotes program integration between the elements of TAA implemented through MDUI and those implemented through DWDAL. Maryland’s TAA program follows a common exit with Title I and Title III, the Jobs for Veterans State Grant program, the NDWG, and the Migrant and Seasonal Farmworker program.

Comprehensive technical assistance resources for TAA reporting are available at:

<https://www.doleta.gov/Tradeact/taa-data/participant-reporting>.

²⁰ A participant who obtains a secondary school diploma or its recognized equivalent must also meet an additional condition before they are counted as a successful outcome and included in the numerator of the credential attainment indicator. These participants must be employed, or enrolled in an education or training program leading to a recognized postsecondary credential within one year following exit.

Workforce Integrated Performance System (WIPS)

The DWDAL DSU reports data on TAA participants to USDOL on a quarterly basis through the Workforce Integrated Performance System (WIPS). Data reporting is due 45 calendar days after the close of the report quarter.

Trade Adjustment Assistance Data Integrity (TAADI)

TAADI is a target-setting and reporting process designed to support the submission of state-level TAA data that is accurate and complete. Each year, the Office of Trade Adjustment Assistance (OTAA) within the USDOL, Employment and Training Administration sets goals for defined fiscal and program performance targets. On a quarterly basis, the DWDAL DSU measures the State's performance and compares it to the TAADI goals. If DWDAL fails to meet a TAADI target, the DSU Program Manager must submit a narrative report to USDOL explaining planned actions to improve performance.

If states fall short of the TAADI Targets, then a second phase of review will be conducted on the four quarters of the fiscal year based on the following factors:

1. Quality of state narratives (where state TAADI Results are not met): Demonstrated that the state has examined the issue.
2. Timeline test (one must be true):
 - a. Included a date by which the issue will be resolved.
 - b. Measure requires 100 percent and state indicates why data is correct.
3. Resolution plan (one must be true):
 - a. Demonstrates that the issue is isolated.
 - b. Demonstrates a plan for resolution is in place to address a systematic issue.
4. State improvement:
 - a. Percentage of state improvement in TAADI Results over the four report quarters of the fiscal year meets the established expectations;
 - b. The extent to which the state TAADI Results fall short of the designated target is within the established margin, and;
 - c. The state's result in the previous year.

Depending on the assessment results from this two-tier review, USDOL may determine the need for a corrective action plan to be put in place. Corrective action will not be recommended for TAADI Measures that have been initially established in that fiscal year in order to allow the state additional time to improve reporting. In addition to the steps listed above, USDOL may post state annual TAADI Results to the TAA website.

MONITORING

DWDAL TAA PROGRAM MONITORING

The Monitoring and Compliance Unit of DWDAL conducts comprehensive quarterly data integrity checks of the TAA program at relevant AJCs.²¹ During onsite monitoring, the assigned monitor reviews TAA participant files in their entirety in order to ensure compliance with applicable laws and regulations under TAA. The monitor must generate a written report at the completion of the monitoring event and must forward the report to the Director of Office of Workforce Development, DSU Program Manager, Local Area Director, and the Local Workforce Development Board Chair. The DSU Program Manager must review the report and forward it to the LEA and AJC manager in the Local Area where the monitoring was completed. The LEA must complete any mandated corrective actions related to findings and/or concerns within 30 calendar days of receipt of the monitoring report. The LEA must notify the DSU Program Manager when required actions are completed. The DSU Program Manager or designee must verify to the MDUI Deputy Assistant Secretary, the DWDAL Director of the Office of Workforce Development, the DWDAL Monitoring and Compliance Manager, and the MDUI Program Manager corrective actions have been completed from DWDAL's monitoring report.

MDUI TAA PROGRAM MONITORING

The MDUI's Benefit, Timeliness and Quality (BTQ) Unit must conduct annual monitoring of the MDUI TRA program to ensure program efficiency and reduce or eliminate improper payments of TRA benefits. Monitoring will include an onsite file review of 20 percent of active files or 30 active files, whichever is less. Files will be selected on a random basis. The BTQ Unit must submit a report indicating the outcome of the monitoring event no more than 45 calendar days following the completion of the monitoring.

The monitoring report must be submitted to:

1. The DWDAL Director of the Office of Workforce Development,
2. The DWDAL DSU Program Manager,
3. The MDUI Deputy Assistant Secretary, and
4. The MDUI Manager of the RTU.

The Manager of the MDUI RTU must review the monitoring report and forward it to the TRA Coordinator. The TRA Coordinator must provide a written response within 30 calendar days of receipt of the monitoring report. The TRA Coordinator must provide the Manager of the RTU with written progress reports relative to the resolution of findings or other required actions. The Manager of the MDUI RTU or designee must verify to the MDUI Deputy Assistant Secretary, the DWDAL Director of the Office of Workforce Development, and the DWDAL DSU Program Manager that the corrective actions are complete.

²¹ TEGL 22-08, Change 1, "Change 1 to the Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009," dated November 20, 2009.

FAIR PRACTICES AND ACCESSIBILITY

It is MD Labor's policy that all persons have equal opportunity and access to services and facilities without regard to race, religion, color, sex (including pregnancy, childbirth and related medical conditions, transgender status, gender identity, and sexual orientation), marital status, genetic information, age, national origin or ancestry (including Limited English Proficiency), disability, veteran status, political affiliation or belief, for the beneficiaries, applicants, and participants only, on the basis of citizenship status, or participation in a program or activity that receives financial assistance under Title I of WIOA. Individuals may refer to MD Labor's Nondiscrimination Plan²² and Language Access Plan²³ for more information on accommodations and services.

Participants in the TAA program with disabilities who may need accommodations should request assistance in advance of the scheduled services from the AJC staff person with whom they will be working. AJC staff working with TAA participants in need of accommodations must work with their LEA or supervisor to secure the necessary support. DWDAL is further committed to ensuring individuals with Limited English Proficient (LEP) have access to necessary language services. Interpreter and translation services are available for TAA participants.

²² MD Labor's Nondiscrimination Plan is available at the following link:

<http://www.labor.maryland.gov/employment/ndp/>.

²³ The Language Access Plan can be found on MD Labor's website: <https://labor.maryland.gov/employment/wioa-access.pdf>.

REFERENCES

LAW

- [Workforce Innovation and Opportunity Act \(WIOA\)](#), 29 U.S.C. § 3101 *et. seq* (2015);
- [Trade Act of 1974](#), 19 U.S.C. § 2101 (1975);
- [The Trade Act of 2002](#), Public Law 107 – 210 (2002);
- [Trade and Globalization Adjustment Assistance Act of 2009](#), 26 U.S.C. § 1 note (2009);
- [Trade Adjustment Extension Act of 2011](#), 19 U.S.C. § 2465 (2011);
- [Trade Reauthorization Act of 2015](#), 19 U.S.C. § 2101 note (2015);
- MD Labor and Employment Article § [11-304](#);
- MD Labor and Employment Article § [8-103](#); and
- MD Labor and Employment Article § [8-1105](#)

REGULATION

- 5 CFR 900.603 “[Standards for a merit system of personnel administration](#)” (2012);
- 20 CFR 618.205 “[Who may file a petition](#).”
- 20 CFR 678.430 “[What are career services](#)” (2014);
- 20 CFR [680.100](#) – [680.195](#);
- 20 CFR 218.210, “[Investigation](#).”;
- Office of Management and Budget 2 CFR Part 200, et al., “[Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards; Final Rule](#).”

FEDERAL GUIDANCE

- TEGL 04-24, “[Discontinuation of Internal Revenue Service \(IRS\) Data Submissions for the Health Coverage Tax Credit \(HCTC\) for Eligible Trade Adjustment Assistance \(TAA\) Recipients and Alternative TAA \(ATAA\) and Reemployment TAA \(RTAA\) Recipients](#),” dated September 18, 2024;
- TEGL 10-16, Change 3, “[Performance Accountability Guidance for Workforce Innovation and Opportunity Act \(WIOA\) Core Programs](#),” dated June 11, 2024;
- TEGL 16-22, Change 1, “[Change 1 to Training and Employment Guidance Letter No. 16-22, Revised ETA-9130 Financial Report Instructions and Additional Guidance](#),” dated January 19, 2024;
- TEGL 7-23, “[Ongoing Operations of the Trade Adjustment Assistance \(TAA\) for Workers Program During Phase-Out Termination](#),” dated January 3, 2024;
- TEGL 24-20, Change 1 “[Change 1 to Operating Instructions for Implementing the Reversion Provisions of the Amendments to the Trade Act of 1974 Enacted by the Trade Adjustment Assistance Reauthorization Act of 2015](#),” dated November 25, 2022;
- TEGL 1-19, Change 1, “[Trade Adjustment Assistance Data Integrity \(TAADI\)](#),” dated August 18, 2022;
- Training and Employment Notice (TEN) 12-21, “[Practitioners Guide to Supportive Services](#),” dated October 15, 2021;
- TEN 1-21, “[Frequently Asked Questions Relating to Trade Adjustment Assistance Program Reversion 2021](#),” dated July 1, 2021;
- TEGL 18-20, “[Trade Adjustment Assistance \(TAA\) Financial Reporting Alignment and Clarifications](#),” dated April 26, 2021;
- TEGL 11-20, “[Guidance on Trade-Affected Workers' Withdrawal from Approved Training under the Trade Adjustment Assistance \(TAA\) Program](#),” dated January 7, 2021;
- TEGL 4-20, “[Guidance on Integrating Services for Trade-Affected Workers under the Trade Adjustment Assistance Program \(TAA Program\) with the Workforce Innovation and Opportunity Act \(WIOA\) Title I Dislocated Worker \(DW\) Program](#),” dated October 29, 2020;

- TEGL 3-20, “[Determining the Availability of Suitable Employment Under the Trade Adjustment Assistance \(TAA\) Program's Final Rule to Return Trade-Affected Workers to Employment as Quickly as Possible](#),” dated September 24, 2020;
- TEN 2-20, “[Announcing the Release of the Trade Adjustment Assistance \(TAA\) for Workers Final Rule and Amended Information Collections Associated with this Rulemaking](#),” dated August 21, 2020;
- TEGL 14-18, “[Aligning Performance Accountability Reporting, Definitions, and Policies Across Workforce Employment and Training Programs Administered by the U.S. Department of Labor \(DOL\)](#),” dated March 25, 2019;
- TEGL 19-16, “[Guidance on Services provided through the Adult and Dislocated Worker Programs under the Workforce Innovation and Opportunity Act \(WIOA\) and the Wagner-Peyser Act Employment Service \(ES\), as amended by title III of WIOA, and for Implementation of the WIOA Final Rules](#),” dated March 1, 2017;
- TEGL 16-16, Change 1, “[Change 1 to Training and Employment Guidance Letter \(TEGL\) 16-16 One-Stop Operations Guidance for the American Job Center Network](#),” dated June 16, 2017;
- TEGL 12-16, “[Questions and Answers on the Effects of Strikes and Lockouts on Eligibility for Trade Adjustment Assistance \(TAA\) and Trade Readjustment Allowance \(TRA\)](#),” dated December 22, 2016;
- TEN 18-09, “[Release and Availability of Four Reports from the National Evaluation of the Trade Adjustment Assistance Program](#),” dated December 1, 2009; and
- TEGL 22-08, “[Change 1 to the Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade and Globalization Adjustment Assistance Act of 2009](#),” dated November 20, 2009.

OTHER RESOURCES

- [DWDAL Policy Issuance Page](#);
- [Language Access Plan](#);
- [Maryland Local Plans](#);
- [Maryland WIOA Combined State Plan](#);
- [MD Labor’s Non-Discrimination Plan](#).